

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

PUBLIC SERVICE COMPANY OF NEW MEXICO

and

Case 28-CA-23391

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL
WORKERS, LOCAL UNION NO. 611, AFL-CIO**

ORDER DENYING MOTION

The Respondent's Motion to Dismiss portions of the complaint is denied. The Respondent has failed to establish that the Acting General Counsel is attempting to relitigate the same or similar charges as those previously litigated in earlier proceedings. Compare, *Jefferson Chemical Co.*, 200 NLRB 992 (1972).

Dated, Washington, D.C., November 10, 2011

| | |
|---------------------|----------|
| MARK GASTON PEARCE, | CHAIRMAN |
| CRAIG BECKER, | MEMBER |
| BRIAN E. HAYES , | MEMBER |